

Attorney Docket No. 1263-03

- ☐ Original Application  
☐ PCT National Application  
U.S. Designated Office  
☒ Continuation or Divisional Application  
☐ Continuation-in-Part Application

**COMBINED DECLARATION,  
POWER OF ATTORNEY AND PETITION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled  
**INCUBATOR AND INCUBATION METHOD MONITORING THE ORGANISM TO BE INCUBATED**

☒ which is described in the specification and claims

☐ attached hereto.

☒ filed on August 6, 2003

Application Serial No. 10/635,278

and was amended on \_\_\_\_\_  
(if applicable)

☐ which is described in International Application No. \_\_\_\_\_

filed \_\_\_\_\_ and as amended on \_\_\_\_\_

\_\_\_\_\_  
(if any),

which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

**COMBINED DECLARATION, POWER OF ATTORNEY & PETITION**  
(Page 2)

Attorney Docket No. 1263-03

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International Application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application(s) for patent or inventor's certificate or of any PCT International Application having a filing date before that of the application on which priority is claimed:

Number	Country	Date of Filing (day,month,year)	Priority Claimed
01/01779	France	9 February 2001	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no
			<input type="checkbox"/> yes <input type="checkbox"/> no
			<input type="checkbox"/> yes <input type="checkbox"/> no
			<input type="checkbox"/> yes <input type="checkbox"/> no
			<input type="checkbox"/> yes <input type="checkbox"/> no

I hereby claim the benefit under Title 35, United States Code, §119(e) or §120 (as applicable) of any United States application(s) or §365(c) of any PCT International Application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International Application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112:

PCT/FR02/00511  
(Application Serial No.)

11 February 2002  
(Filing Date)

pending  
(Status)(patented,pending,abandoned)

\_\_\_\_\_  
(Application Serial No.)

\_\_\_\_\_  
(Filing Date)

\_\_\_\_\_  
(Status)(patented,pending,abandoned)

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the registered attorneys associated with Piper Rudnick LLP and listed under **Customer No. 035811** and the following registered attorneys to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith:

Jerold I. Schneider      Reg. No. 24,765  
Steven B. Kelber        Reg. No. 30,073  
T. Daniel Christenbury    Reg. No. 31,750  
Paul A. Taufer          Reg. No. 35,703  
Frank A. Cona          Reg. No. 38,412  
Darius C. Gambino        Reg. No. 41,472  
James M. Heintz         Reg. No. 41,828

Perry E. Van Over        Reg. No. 42,197  
Raymond Millien         Reg. No. 43,806  
Lisa K. Norton          Reg. No. 44,977  
Patrick R. Delaney        Reg. No. 45,338  
Christopher W. Raimund    Reg. No. 47,258  
Ping Wang                Reg. No. 48,328  
James E. Bauersmith      Reg. No. 50,533

**SEND CORRESPONDENCE TO:**  
IP Department  
Piper Rudnick LLP  
3400 Two Logan Square, 18<sup>th</sup> & Arch Streets  
Philadelphia, PA 19103

**DIRECT TELEPHONE CALLS TO  
ATTORNEY OF RECORD AT:**  
  
(215) 656-3300

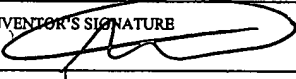
## COMBINED DECLARATION, POWER OF ATTORNEY AND PETITION

(Page 3)

Attorney Docket No. 1263-03

I hereby petition for grant of a United States Letters Patent on this invention.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1. FULL NAME OF SOLE OR FIRST INVENTOR Daniel Attias		INVENTOR'S SIGNATURE 		DATE 2 August 2003
RESIDENCE Levallois-Perret, France		CITIZENSHIP France		
POST OFFICE ADDRESS 2, rue Baudin, F-92300 Levallois-Perret, France				
2. FULL NAME OF JOINT INVENTOR, IF ANY		INVENTOR'S SIGNATURE		DATE
RESIDENCE		CITIZENSHIP		
POST OFFICE ADDRESS				
3. FULL NAME OF ADDITIONAL JOINT INVENTOR, IF ANY		INVENTOR'S SIGNATURE		DATE
RESIDENCE		CITIZENSHIP		
POST OFFICE ADDRESS				
4. FULL NAME OF ADDITIONAL JOINT INVENTOR, IF ANY		INVENTOR'S SIGNATURE		DATE
RESIDENCE		CITIZENSHIP		
POST OFFICE ADDRESS				
5. FULL NAME OF ADDITIONAL JOINT INVENTOR, IF ANY		INVENTOR'S SIGNATURE		DATE
RESIDENCE		CITIZENSHIP		
POST OFFICE ADDRESS				
6. FULL NAME OF ADDITIONAL JOINT INVENTOR, IF ANY		INVENTOR'S SIGNATURE		DATE
RESIDENCE		CITIZENSHIP		
POST OFFICE ADDRESS				
7. FULL NAME OF ADDITIONAL JOINT INVENTOR, IF ANY		INVENTOR'S SIGNATURE		DATE
RESIDENCE		CITIZENSHIP		
POST OFFICE ADDRESS				